

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

RUFUS WEST,

Plaintiff,

v.

Case No. 06-C-763

JEFFREY ENDICOTT, et al.

Defendants.

ORDER

Plaintiff filed a motion for reconsideration of this court's screening order. The motion for reconsideration will be denied. Plaintiff mischaracterizes this court's holding and exaggerates the scope of my ruling. For instance, he claims that under my reasoning, the existence of adequate post-deprivation remedies would insulate prison staff from any possible constitutional violation, including denial of medical care, excessive force, etc. In the screening order, I considered the existence of post-deprivation remedies only with respect to the prisoner's allegations of property destruction; indeed, the very fact that the plaintiff has been allowed to proceed on a number of his claims belies his own argument. Plaintiff's other arguments are similarly flawed and state no grounds for reconsideration. He is warned that future filings expressing hyperbole, disrespect and invective may be grounds for sanctions under Rule 11(b)(1)-(2). Fed. R. Civ. P. 11.

Plaintiff also seeks an order regarding his state law claims, which were not addressed in the screening order. The complaint states no state law claims. The complaint, on numerous occasions, makes references to various regulations and state statutes the prison allegedly violated. But these

do not constitute well-pled claims in their own right. Instead, they are part-and-parcel of the plaintiff's § 1983 claims. Accordingly, the motion is denied.

For the reasons given above, **IT IS ORDERED** that the motion for reconsideration and the motion to address state law claims are **DENIED**.

SO ORDERED this 30th day of August, 2006.

s/ William C. Griesbach
William C. Griesbach
United States District Judge